

FILED  
IN CLERK'S OFFICE  
U.S. DISTRICT COURT E.D.N.Y.

★ NOV 07 2019 ★

LONG ISLAND OFFICE

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK

\_\_\_\_\_  
\_\_\_\_\_  
KEVIN WASHINGTON

Plaintiff,

[Insert full name of plaintiff/prisoner]

-against-

SUFFOLK COUNTY POLICE OFFICER

SHIELD # 34435; SUFFOLK COUNTY

POLICE DEPARTMENT; SUFFOLK COUNTY  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Defendant(s).

[Insert full name(s) of defendant(s). If you need additional space, please write "see attached" and insert a separate page with the full names of the additional defendants. The names listed above must be identical to those listed in Part I]

CV - 19 6382

CIVIL RIGHTS COMPLAINT

42 U.S.C. § 1983

AZRACK, J.

JURY DEMAND

YES ☒ NO ☐

LOCKE, M. J.

RECEIVED

NOV 07 2019

EDNY PRO SE OFFICE

- I. **Parties:** (In item A below, place your name in the first blank and provide your present address and telephone number. Do the same for additional plaintiffs, if any.)

A. Name of plaintiff Kevin Wshington

If you are incarcerated, provide the name of the facility and address:

ULSTER CORRECTIONAL FACILITY, P.O. BOX 800  
NAPANOCH, N.Y. 12458  
\_\_\_\_\_  
\_\_\_\_\_

Prisoner ID Number: 14A2928

If you are not incarcerated, provide your current address:

---

---

---

Telephone Number: 516 483-9481 Home #

**B. List all defendants.** You must provide the full names of each defendant and the addresses at which each defendant may be served. The defendants listed here must match the defendants named in the caption on page 1.

Defendant No. 1

Suffolk County Police Officer  
Shield No. 34435

Full Name

SUFFOLK COUNTY POLICE OFFICER

Job Title

Suffolk County Police Department

30 Yaphank Avenue ,Yaphank, NY 11980  
Address

Defendant No. 2

Suffolk County Police Department

Full Name

SUPERVISOR OF SUFFOLK COUNTY POLICE OFFICERS

Job Title

30 Yaphank Avenue, Yaphank, N.Y. 11980

Address

Defendant No. 3

COUNTY OF SUFFOLK

Full Name

In charged of all protocols, regulations  
Job Title ordinances and County Law enforcement  
HIRING AND PROMOTIONS OF PUBLIC OFFICERS

100 Veterans Memorial Hwy, P.O. Box 6100  
Address Hauppauge, N.Y. 11788

Defendant No. 4

Full Name

Job Title

Address

Defendant No. 5

Full Name

Job Title

Address

## II. Statement of Claim:

(State briefly and concisely, the facts of your case. Include the date(s) of the event(s) alleged as well as the location where the events occurred. Include the names of each defendant and state how each person named was involved in the event you are claiming violated your rights. You need not give any legal arguments or cite to cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. You may use additional 8 ½ by 11 sheets of paper as necessary.)

Where did the events giving rise to your claim(s) occur? On January 17, 2013, around 10:45 p.m., plaintiff was traveling in his automobile on Sunrise Highway towards the Merick Train Station in Suffolk County to meet a friend.

When did the events happen? (include approximate time and date) At the Train Station he was approached by a Nassau County Police officer with gun drawn pointing at plaintiff at the above date and approximate time.

FACTS (What happened?) PLAINTIFF noticed a Nassau County Patrol Car traveling Eastbound on Sunrise highway, then made a U turn, pulled into the Meerick Train Station, jumped out of the patrol car with a weapon in hand, pointing directly at Plaintiff, ordering me to raise both hands turn around and to place both hands on the trunk of the car. I complied.

Thereafter, other units from the Suffolk Police Department arrived at the scene, removed plaintiff's belongings, placed them on the trunk and began to search his vehicle. When it was over, plaintiff ASKED THE OFFICER FROM NASSAU COUNTY why was this action taken? He responded that there was a robbery in Suffolk County and plaintiff fits the description. Plaintiff was then handcuffed and placed in the back seat of the NASSAU COUNTY PATROL CAR. Approximately One (1) hour later, Suffolk County Police Officer Shield No. 34435 appeared with other suffolk county police Officers and the Clerk of the store that was robbed; Stepped to the door of the Patrol car and asked plaintiff to step out of the car for the Clerk of the store to view and possibly identify plaintiff. The witness could not identify as the perpetrator wore a mask.

Plaintiff was then taken into custody of Suffolk County Police Office Shield No. 34435 and taken to the Suffolk County Police Headquarter, placed in a room , handcuffed to a desk, and was questioned by Police Officer Shield No. 34435 concerning his whereabouts. Plaintiff did explain that he was coming from the INN MOTEL off Sunrise Highway, where he was with his Girlfriend , Ms. Allen at the time. Ms. Allen was visited by Police Officer Shield No. 34435 to verify plaintiff's version that he was with her the entire evening, and left around 10;10 P.M., headed westbound on Sunrise Highway

Despite no evidence of any wrongdoing, plaintiff was fingerprinted, his picture was taken, and he was made to sit in a room by Officer Shield No. 34435 at the Suffolk County Police Headquarters for hours, waiting on a decision to be made. His sneakers were removed and he was made to walk around with only his socks. After that he was transported to the Riverhead Jail, remaining without footwear.

The following morning at the Jail, as soon as he awoke from sleep, he was jumped and assaulted by some inmates, sustaining serious injuries on his body, a broken nose, bruises on his face. Suffolk County Correction Officers stood there and watched, doing nothing to protect or intervene. Pictures of his wounds were taken at the Riverhead Jail and at the Hospital where plaintiff was taken.

County prosecutors's office only interest was for plaintiff to accept an offer to PLEAD GUILTY, which was refused; In the report of the crime, the car used to commit the offense was described as "BEIGE"; Plaintiff vehicle was "GREEN", meaning they had the wrong vehicle and person all along. The same report also stated the perpetrator wore a "MASK", no masks were found in Plaintiff's car or on his possession, which means that the Clerk/victim could not have made a positive identification of the culprit.

Suffolk County PUBLIC OFFICERS continued to harrass plaintiff with court appearances, with the proof in their possession of ACTUAL INNOCENCE. As a consequence, PLAINTIFF LOST HIS EMPLOYMENT WITH ANCHOR SECURITY CO, HIS HOME WAS FORCED INTO FORECLOSURE AND HIS MARRIAGE, WHICH COULD NEVER BE REPAIRED.

At the time of the Plaintiff's arrest, he was under psychiatric care of two Doctors, Eugenio Tassy M.D., 4277 Hemp Tpke, Bathpage, N.Y. 11714 Suite 103 & 104 (516) 644-2272 and Phillip TASSY, M.D. PLLC, 518 Front Street, Hemp, N.Y. 11550. Suffolk County and its Public Officers, agents agencies, instrumentalities, interfered with Plaintiff's Medical Treatment, causing his condition to deteriorate without proper medication and treatment, causing irreparable mental anguish throughout the two years of this FRAUD ; Fraudulent Abuse of Power, Fraudulent Powers of Abuse; Non-Feasance and Fraudulent Interference with Mental Treatment constituting DELIBERATE INDIFFERENCE TO SERIOUS MEDICAL NEEDS, CONSTITUTIONAL-CIVIL RIGHTS Guaranteed by the Bill of Rights and 42 USC 1981, 1983 and 1985(2), to cover up the FRAUD AND UNLAWFUL CONSPIRACY TO OBSTRUCT JUSTICE, by all members of Suffolk County Public Officers, acting under color and authority of State Law, violating federal protocols, regulations and ordinances to well being and protection of the citizenry

### III CAUSES OF ACTIONS AND CLAIMS

#### FIRST CAUSE OF ACTION CLAIM

SUFFOLK COUNTY POLICE OFFICER SHIELD No. 34435, acting under Color and authority of State, County and Municipal Laws, conducted the investigation, interviewed Ms. Allen, saw the Motel Registry and was cognizant that PLAINTIFF DID NOT VIOLATE ANY LAWS. Nevertheless, his intent was to violate PLAINTIFF'S CONSTITUTIONAL RIGHTS to maintain his unlawful custody on account of PLAINTIFF'S RACE BY FRAUD, MAKING PLAINTIFF STAND ACCUSED FOR TWO YEARS, WITH PROOF OF HIS ACTUAL INNOCENCE IN HIS POSSESSION, UNTIL THE CASE WAS DISMISSED ON APRIL 1, 2015, OBSTRUCTING JUSTICE AND DEPRIVING PLAINTIFF OF EQUAL CIVIL RIGHTS.

#### SECOND CAUSE OF ACTION CLAIM

THE SUFFOLK COUNTY POLICE DEPARTMENT'S custom and policy in failing to train its employees, such as Police Officer Shield No. 34435 on RACIAL PROFILING, was displayed in this case, by the deliberate indifference to constitutional-Civil rights of Minority Classes within its jurisdiction, while acting under color and authority of State, County and Municipal Laws, creating racial animus among Police officers and supervisors THAT LEADS TO FRAUDULENT ABUSE OF POWER, FRAUDULENT POWERS OF ABUSE AND OBSTRUCTION OF JUSTICE to cover up the ACTIONS AND INACTIONS that violates equal civil rights, constitutional rights and evidence of actual innocence to maintain unlawful custody.

#### THIRD CAUSE OF ACTION CLAIM

SUFFOLK COUNTY AND ITS MUNICIPALITY'S CUSTOM AND POLICY, commanded the violations of Plaintiff's federal rights by not addressing RACIAL PROFILING TO ITS PUBLIC OFFICERS AND SUBORDINATES that deprives Minority member classes, as Plaintiff, of their duty to protect equal rights, privileges and immunities secured by the Constitution or laws of the UNITED STATES. Failing to train its PUBLIC OFFICERS AGAINST ABUSES OF HUMAN, CIVIL AND CONSTITUTIONAL RIGHTS. ALTHOUGH ALL EVIDENCE

EXCLUDED PLAINTIFF OF BEING THE CULPRIT, THE RACIAL ANIMUS CONTINUED WITH THE NON-FEASANCE AND FRAUDULENT ABUSES, WITH DELIBERATE INDIFFERENCE AND DISREGARD OF MEDICAL NEEDS TO OBSTRUCT JUSTICE, UNTIL THEY WERE ALL FINALLY FORCED TO DISCONTINUE CRIMINAL PROCEEDINGS THAT WOULD HAVE RESULTED IN A MISCARRIAGE OF JUSTICE TWO YEARS LATER.

IV. INJURIES: EXTREME EMOTIONAL DISTRESS, MENTAL ANGUISH. PHYSICALLY ASSAULTED IN PAIN, BROKEN NOSE, SWOLLEN FACE, FAILURE TO PROVIDE APPROPRIATE PSYCHIATRIC TREATMENT AND CARE: LOSS OF EMPLOYMENT, LOSS OF HOME, MARRIAGE, FALSELY ACCUSED FOR TWO YEARS, RACIALLY PROFILED AND DISCRIMINATED AGAINST, CRUEL AND UNUSUAL TREATMENT AND PUNISHMENT, SINGLED OUT FOR AN UNLAWFUL CONSPIRATORIAL ACCUSATION BASED ON FRAUD TO OBSTRUCT justice.

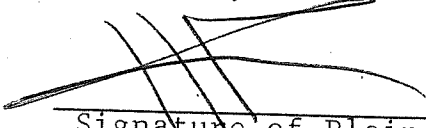
V. RELIEF

CONSOLIDATION OF COMPENSATORY, EXEMPLARY, GENERAL, IRREPARABLE AND SPECIAL DAMAGES IN THE AMOUNT OF SEVEN MILLION DOLLARS.

I declare under penalty of perjury that on Nov 3<sup>RD</sup> 2019 I delivered this complaint in the United States Mail Box, to be mailed via First class Mail, to the United States District Court, Eastern District of New York.

I declare under penalties of perjury that the foregoing is true and correct.

Dated: Nov, 3<sup>RD</sup>, 2019

  
\_\_\_\_\_  
Signature of Plaintiff  
Kevin Washington 1  
Ulster Correctional Facility  
\_\_\_\_\_  
P.O. Box 800  
Napanoch, N.Y. 12458  
\_\_\_\_\_  
Address